

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: KOSSOFF PLLC,

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DEBTOR.

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RECEIVED
U.S. BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
CHAPTER SEVEN CASE# 21-10699 (DSJ)

NOTICE OF APPEAL AND STATEMENT
OF ELECTION

PLEASE TAKE NOTICE that pursuant to 28 U.S.C.A. Section 158(a)(1) that MITCHELL KOSSOFF (hereinafter Appellant) hereby appeals to the United States District Court, Southern District of New York from a Decision, dated 2/14/25, by the Hon. David S. Jones and his Order issued in connection therewith entered on 2/20/25 (collectively referred to as the Order) which overruled all objections to the Claim of the Internal Revenue Service, together with its permitted amendment, and fixed the amount of said Claim;

PLEASE TAKE FURTHER NOTICE that Appellant hereby appeals from each and every part of said Order and from the whole thereof; and

PLEASE TAKE FURTHER NOTICE that in addition Appellant under pain and penalty of perjury pursuant to 28 U.S.C. Section 1746 hereby declares the truth of the following:

1. That Appellant is an incarcerated individual with an address as follows:

LEGAL MAIL
Mitchell Kossoff
Din# 22B2108 Housing Unit: L2-26
Groveland Correctional Facility
7000 Sonyea Road, P.O. Box 50
Sonyea, New York 14556

2. That Appellant is denominated as a defendant in an adversary proceeding affected by the Order and, as well, was also authorized by the Court to submit opposition in this matter as an interested party.

3. That there is currently a statewide Correction Officers' strike which deprives the Appellant with access at all times to the law library, copying facilities, use of the internet, use of a typewriter (except the permissive use from time to time of a fellow inmate's typewriter)

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and which significantly impacts the regularity of both receiving and sending regular and legal mail. Further and as a result of this lockdown emanating from the strike, it is requested that any errors or omissions in the Notice of Appeal and the accompanying, required documentation mandated pursuant to the Rules of this Court and/or FRBP Rules 8002, 8003 and 9006 and/or 28 U.S.C.A. Sections 157 and 158 be excused or the time to so comply be extended until 14 days after the complete cessation of the Correction Officers' strike.

4. That the within Notice of Appeal and accompanying documentation is being filed in a timely fashion in accordance with the procedure set forth in FRBP Rule 8002(c) and a Declaration to this effect in accordance with 28 USC Section 1746 is attached hereto

5. That Appellant elects to have the Appeal heard by the United States District Court rather than by Bankruptcy Appellate Panel.

6. That the names of all proponents and opponents to the motion which resulted in the Order and the names, addresses and telephone numbers of their counsel is as follows:

Internal Revenue Service
by Damian Williams, Esq.
United States Attorney
Southern District of New York
86 Chambers Street, 3rd Floor
New York, New York 10007
(212) 637-2679/2677

Bloomingdales, Inc. and
Citibank, NA, Inc.
by Lemery Greisler LLC
677 Broadway, 8th Floor
Albany, New York 12207
(518) 433-8800

Albert Togut, Trustee
by Togut, Segal & Segal
One Penn Plaza, Suite 3335
New York, New York 10019
(212) 594-5000

Peter Xenopoulos and
P. Xenopoulos Realty
by Padalis & Nohavicka
950 3rd Avenue, 11th Flr.
New York, New York 10022
(212) 213 - 8511

Columbus Properties, Inc
& Colonade Management
by Emmet, Marvin & Marvin
120 Broadway, 32nd Flr.
New York, New York 10271
(212) 238 - 3000

Dated: SONYEA, New York
February 24, 2025



MITCHELL KOSSOFF, Pro Se
Din# 22B2108, Housing Unit: L2-26
7000 SONYEA Road, P.O. Box 50
SONYEAE, New York 14556

DECLARATION AS TO FILING

I, MITCHELL KOSSOFF, pursuant to 28 U.S.C. Section 1746 hereby declare under penalty of perjury the truth of the following:

that on 3RD day of MARCH, 2025 which is on or before the last day for filing, I deposited in Groveland Facility's internal mail system the within Notice of Appeal and attachments in a sealed envelope with first class postage paid thereon, and addressed as follows:

Appeals Clerk's Office
United States Bankruptcy Court
Southern District
One Bowling Green
New York, New York 10004

Dated: Soneya, New York


MITCHELL KOSSOFF, Pro Se